OCT 17 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Giffin

Docket No.: GIFF0001CIP

Serial No.: 10/808,673

Art Unit:

3747

Filed:

03/24/2004

Examiner:

Huynh, Hai H.

Title:

VARIABLE VALVE

Date: 17 October 2005

Assistant Commissioner for Patents Mail Stop - Amendments P.O. Box 1450 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

This Information Disclosure Statement is submitted:

()	(within	37 CFR 1.97(b), or three months of filing national application; or date of entry of international application; or before date of first office action on the ments; whichever occurs last)
(X)	under (X) ()	37 CFR 1.97(c) together with either a: Certification under 37 CFR 1.97(e), or a \$180.00 fee under 37 CFR 1.17(p), or (After the CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
()	under () () ()	37 CFR 1.97(d) together with a: Certification under 37 CFR 1.97(e), and a \$220.00 fee under 37 CFR 1.17(d)(2)(ii), and a \$130.00 petition fee set forth in 37 CFR 1.17(i)(1) (Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 07-1445 (Order No. GIFF0001CIP).

- (X) Applicant(s) submit herewith Form PTO 1449 -- Information Disclosure Citation together with copies of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.25.
- () A concise explanation of the relevance of foreign language patents, foreign language publications and other foreign language information listed on PTO Form 1449, as presently understood by the individual(s) designated in 37 CFR 156(c) most knowledgeable about the content is given on the attached sheet, or where a foreign language patent is cited in a search report or other action by a foreign patent office in a counterpart foreign application, an English language version of the search report or action which indicates the degree of relevance found by the foreign office is listed on form PTO 1449 and is enclosed herewith.

It is requested that the information disclosed herein be made of record in this application.

Respectfully Submitted

Christopher Peil Attorney for Applicant Reg. No. 45,005

Customer No. 22862



OCT 17 2005

Art Unit:

Examiner:

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Respectfully Submitted

Christopher Peil
Attorney for Applicant
Reg. No. 45,005

Customer No. 22862

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OCT 17 2005

PTO/SB/08A (07-05)
Approved for use through 07/31/2006, OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449/PTO	Complete if Known		
	Application Number .	10/808,673	
INFORMATION DISCLOSURE	Filing Date	03/24/2004	
	First Named Inventor	Giffin	
STATEMENT BY APPLICANT	Art Unit	3747	
(Use as many sheets as necessary)	Examiner Name	Huynh, Hai H.	
Sheet 1 of 1	Attorney Docket Number	GIFF0001CIP	

Examiner Initials*	Cite No.	Document Number Number-Kind Code ^{2 (7 known)}	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		^{US-} 3,659,572 A	02 May 1972	Pelizzoni	
		^{US-} 1,222,941 A	17 Apr 1917	Egoroff	
		^{US-} 1,448,055 A	13 Mar 1923	Corti	
		^{US-} 5,845,677 A	08 Dec 1998	Kim	
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Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date	MENTS Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	70
		Country Code ³ "Number ⁴ " Kind Code ⁶ (If known)	MM-DD-YYYY		Or Relevant Figures Appear	Ľ
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"EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered, include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. Applicant is to place a check mark here if English language Translation is attached.

Tris collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to flie (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chiler Information Officer, U.S. Patent and Tradamark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

OCT 17 2005

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In re Application of: Giffin

Docket No.: GIFF0001CIP

Serial No.: 10/808,673

Art Unit: 3747

Filed: 24 March 2004

Examiner: Huynh, Hai H.

Title: Variable Valve

Date: 17 October 2005

Commissioner of Patents Mail Stop - Amendments P.O. Box 1450 Alexandria, VA: 22313-1450

CERTIFICATION FOR INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §1.97(e)

Dear Sir:

A certification is being made for the Information Disclosure Statement accompanying this certification.

CERTIFICATION

I, the person signing below, certify

(x) that each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement. (37 CFR 1.97(e)(1))

that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement. 37 CFR 1.97(e)(2).

The person making this certification is the attorney who signs below on the basis of the information:

- () supplied by the inventor(s)
- () supplied by an individual designated in §1.56(c)
- (x) in the attorney's file.

Respectfully submitted,

Christopher Peil Reg. No. 45,005

Customer Number 22862